

BY-LAWS OF LOCAL UNION MEMBERS

1870

CANADIAN UNION OF PUBLIC EMPLOYEES



UNIVERSITY OF PRINCE EDWARD ISLAND

Approved by Membership:

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PREAMBLE

In order to improve the social and economic welfare of its members without regard to age, color, creed, ethnic or national origin, **language**, family status, gender identity/expression, marital status, physical or mental **ability**, political belief, race, religion, sex, sexual orientation, or source of income of any individual or class of individual, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labor, this Local of the Canadian Union of Public Employees, (hereinafter referred to as CUPE), has been formed.

The following bylaws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

ARTICLE 1 – NAME

- 1.01 The name of this Local shall be: Canadian Union of Public Employees, Local No. 1870, University of Prince Edward Island Clerical, Administrative, and Technical Employees

ARTICLE 2 – OBJECTIVES

- 2.01 The objectives of the Local are to:
- (a) secure adequate remuneration for work performed, eliminate harassment of any kind, **promote social justice and human rights**, and generally advance the economic and social welfare of its members and of all workers;
 - (b) support CUPE in reaching the goals set out in Article II of the CUPE constitution (see Appendix B);
 - (c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
 - (d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

ARTICLE 3 – INTERPRETATION AND DEFINITIONS

- 3.01 A member shall be defined as an employee of the University of Prince Edward Island who has signed a union card and paid an initiation fee. Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution (**2019**) which should be read in conjunction with these bylaws.

ARTICLE 4 – MEMBERSHIP MEETINGS - REGULAR AND SPECIAL

- 4.01 Regular membership meetings shall be held on or about 12:10 p.m., **on the second Thursday of** each month. If a Statutory Holiday intervenes, **or for any other reason the regular meeting cannot be held on that day, then** the Executive Board shall give a week's notice of any change in the date of the regular meeting.
- 4.02 Special Membership Meetings may be ordered by the Executive Board or requested in writing by no fewer than seven (7) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the Special Meeting and the subject(s) to be discussed. No business shall be transacted at the Special Meeting other than **the business** for which the meeting is called and notice given.
- 4.03 A quorum shall consist of 10 members or 25% of the membership, whichever is least. If a scheduled meeting fails to have a quorum in attendance, then a new meeting may be called for approximately one week later. At this meeting, those present shall constitute a quorum capable of conducting union business, provided only that this fact shall be included on the notice of the meeting sent to the members.
- 4.04 The order of business at regular membership meetings is as follows:
- (a) **Call to Order**
 - (b) **Land Acknowledgement**
 - (c) **Equality Statement**
 - (d) **Attendance and Roll Call of Officers;**
 - (e) Reading of Minutes of Previous Meeting;
 - (f) **Executive Board Report;**
 - (g) Treasurer's Report;
 - (h) **Reports of Committees and Delegates;**
 - (i) **Communication and Bills;**
 - (j) **Recognizing New Members;**
 - (k) **Reports of Committees and Delegates; Matters arising out of the Minutes;**
 - (l) **Unfinished Business;**
 - (m) **New Business;**
 - (n) **Nominations, Elections, or Installations;**
 - (o) Adjournment

ARTICLE 5 – VOTING OF FUNDS

5.01 Other than for ordinary expenses and bills as approved at membership meetings:

- (a) **a maximum sum of \$200 per person/cause may be voted for the purpose of a grant or contribution to a member of any cause outside of CUPE** (with the approval of the President and Secretary-Treasurer);
- (b) **a maximum sum of \$300 may be sent as strike donations or convention pledges** (this amount is to be reviewed annually.) **Strike donations or convention pledges over this amount must be communicated** by notice of motion given in writing and dealt with at the following membership meeting.
(Article B.4.4)

ARTICLE 6 – OFFICERS

6.01 The officers of the Local shall be the Past President, President, and Vice-President (3), Secretary Treasurer, Recording Secretary, three (3) Trustees, Chief Steward, Shop Stewards, **Young Workers Representative, Equality and Diversity Representative**, and Sergeant-At-Arms. All Officers shall be elected by the membership.

ARTICLE 7 – EXECUTIVE BOARD

- 7.01 The Executive Board shall comprise all officers, except Trustees, and Shop Stewards.
- 7.02 A majority of the board constitutes a quorum.
- 7.03 The Executive Officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- 7.04 The Board shall meet at least once every month.
- 7.05 The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- 7.06 All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
(Articles B.6.1 to B 6.7)

- 7.07 Should any Board member fail to answer the roll call for three consecutive regular membership meetings or four regular Board meetings without having submitted good reasons for those failures, this office shall be declared vacant and shall be filled by an election at the following membership meeting (Article B 2 5).

ARTICLE 8 – DUTIES OF OFFICERS

8.01 The *PRESIDENT* shall:

- enforce the CUPE Constitution and these By-laws;
- preside at all membership and Executive Board meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to the membership);
- **communicate with other unions at UPEI;**
- have a vote on all matters (except appeals against rulings) and in cases of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the membership;
- be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse any officers, including the President, for expenses, supported by vouchers, incurred on behalf of the local;
- have first preference as a delegate to the CUPE National **and PEI** Convention. (Article B.3.1)

8.02 The 1st *VICE-PRESIDENT* shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;

- render assistance to any member of the Board as directed by the Board (Article B.3.2);
- Shall be the third signatory on all cheques (in the absence of the President);
- examine and watch all job postings that pertain to their classification;
- inform new members and keep membership up to date.

8.03 The *ASSOCIATE VICE-PRESIDENTS'* shall:

- if the President or 1st Vice President is absent or incapacitated, perform all duties of the President;
- be a member and attend all Executive Meetings;
- come from the two designated areas of ADS, MTS, and PA) not represented by the 1st VP;
- work with the Shop Stewards in their area;
- examine and watch all job postings that pertain to their classification;
- inform new members and keep membership up to date;
- perform such other duties assigned by the Board from time to time.

8.04 The *SECRETARY-TREASURER* shall:

- receive all revenue, initiation fees, dues, and assessments;
- keep a record of each member's payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE national per capita tax forms and remit payment;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- be bonded for not less than \$500.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary Treasurer) through the master bond held by the National Office;
- **pay** no money unless supported by a voucher duly signed by the

President or two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;

- make all book available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semiannually;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- not later than February 28 each year, furnish each member, on the forms supplied by the National Office, with a statement showing the net amount of tax-deductible dues paid by **them** during the preceding calendar year;
- be empowered, with the approval of the President, to employ necessary clerical assistance to be paid for out of the Local's finds;
- notify all members who are one month in arrears and report to the Board all members two or more months in arrears. (Articles B.3.1 to 0.3.9)

8.05 The *RECORDING SECRETARY* shall:

- keep full and accurate account of the proceedings of all membership and Board meetings;
- record all alterations in the bylaws;
- **maintain the record of members' personal contact information;**
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and trustees;
- on termination of office, surrender all books, seals, and other properties of the Local to the successor;
- preside over membership and Board meetings in the absence of both the President and the Vice-President;
- be empowered, with the approval of the President, to employ

necessary stenographic or other assistance to be paid for out of the Local's funds (Article B.3.3).

8.06 The *SERGEANT-AT-ARMS* shall:

- **be a member of the Executive Board;**
- guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and by consent of the members present;
- assist in maintaining the record of membership attendance at meetings;
- perform such other duties as may be assigned by the Board from time to time.

8.07 The *TRUSTEES* shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary Treasurer, the Recording Secretary and the Committees at least once every calendar year;
- Make a written report of their findings to the first membership meeting following the completion of each audit;
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary- Treasurer in an organized, correct, and proper manner;
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization;
- Ensure that proper financial reports have been given to the membership;
- Audit the record of attendance;
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership;
- Send to the National Secretary-Treasurer, with a copy to the assigned Serving Representative, the following documents:
 - i. Completed Trustee Audit Program

- ii. Completed Trustees' Report
- iii. Secretary-Treasurer Report to the Trustees
- iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
- v. Secretary-Treasurer's response to recommendations
- vi. Concerns that have not been addressed by the Local Union Executive Board.

8.08 The *SHOP STEWARDS* shall:

- be responsible for the recruitment of new members;
- monitor the existing contract and ensure that the members' rights are observed and also that the obligations of the members are met;
- ensure that the Chief Steward is made aware of any problems that arise in the area under the shop steward's jurisdiction and the manner in which problems are being handled;
- make sure that in the shop steward's area notices are posted and that the members are made aware of any meetings of the Union and shall do all possible to ensure a good turnout at such meetings;

8.09 The *CHIEF STEWARD* shall:

- be a member of the Executive Board;
- be aware, through consultation with the various Shop Stewards, of any problems within any department and shall keep the Executive and the membership up-to-date on any problems or grievances that may have arisen during this term of office and the subsequent settlement or solving of such;
- sit as the Chair of the Grievance Committee, which shall determine if a complaint has any basis to become a grievance and subsequently to follow that grievance to its conclusion.

8.10 The *PAST PRESIDENT* shall:

- be a member of the Executive Board for one year

8.11 The *YOUNG WORKERS REPRESENTATIVE* shall:

- **be a member of the Executive Board;**
- **be under the age of 35;**
- **perform such other duties assigned by the Board from time to time.**

8.12 The *EQUALITY AND DIVERSITY REPRESENTATIVE* shall:

- be a member of the Executive Board;
- act as an advocate for and presenting the needs of Black, Indigenous, and People of Colour (BIPOC) members, the Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual+ (2SLGBTQIA+) community, and those affected by age or disability;
- work with the SHOP STEWARD and CHIEF STEWARD to interpret and ensure compliance with legislation in grievance files;
- promote change in workplace environment;
- perform other duties as assigned by the Executive Board from time to time.

ARTICLE 9 – OUT-OF-POCKET EXPENSES

9.01 Any member who incurs expenses because of Union business shall be reimbursed upon submission of receipts to the Secretary Treasurer and approved by the Executive Board or membership meeting.

9.02 The following expense allowance shall be paid to the following officers at the Annual General Meeting for each year of office:

President	\$400
Vice-President	\$200
Sec-Treasurer	\$200
Recording Secretary	\$200
Chief Shop Steward	\$200
Sergeant-At-Arms	\$200
Young Workers Representative	\$200
Equity and Diversity Representative	\$200

ARTICLE 10 – FEES, DUES, AND ASSESSMENTS

10.01 Initiation Fee

Each application for membership in the Local shall be directed to the Secretary Treasurer and shall be accompanied by an initiation fee of Two Dollars and Fifty Cents (\$2.50) which shall be in addition to monthly dues. The Secretary Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned. (Articles 8.4.1 and B.9.2)

10.02 Monthly Dues

The Monthly Dues shall be **1.50%** of gross salary, paid bi-weekly.

- 10.03 Changes in the levels of the Initiation Fee, the Re-admittance Fee or the Monthly dues can be affected only by following the procedure for amendment of these by-laws (see Section 1 6), with the additional provision that the vote must be by secret ballot (Articles B.4.1 and B.4.3).
- 10.04 Notwithstanding the above provisions, if the CUPE Constitution raises minimum fees and/or dues above the level herein established, these by-laws will be deemed to have been automatically amended to conform to the new CUPE minima.
- 10.05 Special assessments may be levied in accordance with Article B.4.2 the CUPE Constitution.

ARTICLE 11 – NON-PAYMENT OF DUES AND ASSESSMENTS

- 11.01 Any member in arrears for a period of three (3) months or more shall be automatically suspended and this suspension shall be reported to the Executive Board by the Secretary Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated, shall, upon application, pay any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, that member may not be required to pay arrears (Article B. 10.1).

ARTICLE 12 – NOMINATIONS, ELECTIONS, AND INSTALLATION OF OFFICERS

12.01 Nominations

Nominations shall be received at the annual dinner meeting held in the month of June. To be eligible for nomination, a member must be a member in good standing and must have attended at least fifty percent of the membership meetings held in the previous twelve months or in the period while a member, if less than a year, unless a valid reason, acceptable to the Local, has been given for non-attendance. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed written consent, duly witnessed by another member, to be filed at the meeting. No member shall be eligible for nomination if in arrears of dues and/or assessments.

12.02 Elections

- (a) At a membership meeting at least one month prior to election day

the President shall, subject to the approval of the members present, appoint the Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local, who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

- (b) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (c) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- (d) The voting shall take place at the Annual Meeting in June. The vote shall be by secret ballot.
- (e) Voting to fill one office shall be conducted and completed, and results dealt with, before balloting may begin to fill another office
- (f) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.
- (g) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- (h) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4©.

12.03 *Installation*

- (a) All duly elected officers shall be installed at the meeting at which elections are held. Elections shall be held annually for a two (2) year term. The President, 1st Vice-President, Associate Vice-Presidents (2), Recording Secretary, and Treasurer and Executive Officers position up for election shall be: In the odd years, President, Treasurer, **Equality and Diversity Representative**, and Sergeant-at-arms. In the even years, 1st Vice President, Associate Vice-Presidents (2), Recording Secretary, **Young Workers**

Representative, and Chief Shop Steward. (Article B.2.4)

- (b) The terms of Office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution.

12.04 *By-Elections*

Should an office fall vacant pursuant to Section 7(g) of these by-laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

ARTICLE 13 – UNION EVENTS: CONVENTION, CONFERENCES, & WORKSHOPS

- 13.01 Except for the President's option (Section 8(a)), all delegates **and attendees to conferences, conventions, and workshops** shall be chosen by election at membership meetings **giving preference to the Executive Board first, then all other Members. If spots are still available after the membership meeting, then Members will be considered by the Executive Board.**
- 13.02 Members who attend conferences and workshops at the Union's expense should hold executive positions or be asked to hold executive positions when nominations were sought.
- 13.03 Members who, at the Union's request, attend conferences and workshops shall be reimbursed for expenses which may include: registration fees, lost salary, per diem, transportation, accommodation, receipted expenses, and child care expenses over and above normal expenses. Members may request an advance of monies to cover these expenses. A statement of expenses must be remitted to the Treasurer upon return to work.
 - (a) Per diem is based on **\$15** (breakfast), **\$22** (lunch), and \$27 (supper). Additional \$20 allotted for off-Island incidentals.
 - (b) Mileage is reimbursed at a fixed rate of \$0.45/km.
 - (c) Child Care will be reimbursed up to a maximum of \$50 per day, substantiated by receipts.

ARTICLE 14 – COMMITTEES

14.01 *Negotiating Committee*

This shall be a special ad hoc committee established prior to negotiations and automatically disbanded when a new collective agreement has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of the President and three (3) members, plus an alternate, all elected at a membership meeting. The CUPE Representative assigned to

the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

14.02 *Special Committees*

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting, or may, by specific authorization of the membership, be appointed by the President or Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

14.03 *Standing Committee*

The Chair of each Standing committee shall be elected by the members at a membership meeting. The Chair and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. A member of the executive of CUPE 1870 shall be a member, ex-officio, of each committee. There shall be four (4) Standing Committees as follows:

(a) *Grievance Committee*

This Committee shall process all grievances and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The Committee shall comprise of the Chief Steward, President, and one (1) other member to be selected from among the Shop Stewards. The Committee shall appoint its secretary from among its members.

(b) *Education Committee*

It shall be the duty of this Committee to:

- arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board,
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference files of these reports;
- disburse information to the local and co-operate with the Executive Board in preparing press releases and other publicity material;
- co-operate with the Education and Public Relations Departments of CUPE, and with the Regional Educational Representative, in implementing both the Local's and CUPE's policies in these fields. The Committee shall

comprise between three (3) and five (5) members and shall appoint its secretary from among its members.

(c) **Social Committee**

It is the function of this Committee:

- to be responsible for the organization and implementation of the Annual Meeting;
- to arrange and conduct all social and recreational activities of the local either on the Committee's own initiative or as a result of decisions taken at membership meetings;
- shall submit reports and proposals to the Executive Board or to the membership as required;
- shall be self-supporting except that a ceiling for the Committee's net expenditures shall be fixed annually by the membership.

The Executive Board shall be held responsible for the proper and effective functioning of this Committee;

- the Committee shall comprise between three (3) and five (5) members and may appoint a secretary treasurer from among its members.

(d) **Health and Wellness Committee**

It is the function of this Committee:

- **to arrange and conduct all health and wellness activities of the local either on the Committee's own initiative or as a result of decisions taken at membership meetings;**
- **shall submit reports and proposals to the Executive Board or to the membership as required;**
- **shall be self-supporting except that a ceiling for the Committee's net expenditures shall be fixed annually by the membership.**

ARTICLE 15 – RULES OF ORDER

15.01 All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix, and may be amended only by the same procedure used to amend the by-laws.

- 15.02 In situations not covered by Appendix "A", the CUPE Constitution may provide guidance. but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

ARTICLE 16 – AMENDMENT

- 16.01 These by-laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President. (Articles 9.2 ©, 12.3, and B.6.1).
- 16.02 These by-laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following written notice given at a previous regular membership meeting.
- 16.03 No change in these by-laws shall be valid and taken effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President. (Articles 12.3 and B.6.1).

ARTICLE 17 – RETIRING MEMBERS

A gift to the value of fifty (\$50) dollars and a certificate will be given to members upon their retirement.

ARTICLE 18 – HONOURARY MEMBERS

CUPE 1870 Executive and membership can create and approve candidates as honorary members based on their exemplary work and/or being a strong union activist.

ARTICLE 19 – MENTORING PROGRAM

To ensure the future of Local 1870, a mentoring program will be implemented. This program will help create an opportunity to train members to become activists and/or future executive members. Interested members will be allowed to shadow or to apprentice an executive member and learn the duties of that position on a gradual basis, rather than taking on that position with little or no experience. Elections will be held to decide who will apprentice an executive member.

APPENDIX "A" – TO THE BY-LAWS OF LOCAL 1870. CUPE 1870 RULES OF ORDER

1. The President, or, in the President's absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and the Vice-President, the Recording Secretary shall act as President. If all three are absent, a President pro-term shall be chosen by the local.
2. No member, except the Chair of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairs and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconded must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution, shall be in order.
6. On motion, the regular order of business may be suspended, by a two thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, that member shall rise in place and respectfully address the Presiding Officer, but, except to state that he/she rises to a point of order or on a question of privilege, that member shall not proceed further until recognized by the Chair.

11. When two or more members rise to speak at the same time, the Presiding Officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, that member shall cease speaking until the point is determined; if it is decided he/she is in order he/she may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local. or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, the Presiding Officer may in addition give a casting vote, or, if so chooses, refrain from breaking the tie, in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order, except:
 - (a) to adjourn
 - (b) to put the previous question
 - (c) to lay on the table
 - (d) to postpone for a definite time
 - (e) to refer
 - (f) to divide or amend

which motions shall have precedence in the order named. The first three of these shall be decided without debate.

18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment or an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except
 - (a) when a member has the floor, and
 - (b) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes has elapsed.

21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same
22. If any member wishes to challenge (appeal) a decision of the chair, that member must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for challenge. The Chair may then state briefly the basis for his/her decision, following which the Chair shall immediately and without debate put the question "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie, the chair is sustained.
23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers or the taking of a vote: and no member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business, and proceedings of meetings, is not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

APPENDIX "B" – EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union. CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all persons deserve dignity, equality and respect.

APPENDIX "C" – CUPE 1870 CODE OF CONDUCT

CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees Local 1870 (CUPE 1870), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE 1870 strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE 1870 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE 1870 needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE 1870's expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at conventions, conferences, schools, meetings, and all other events where we represent CUPE 1870. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

The Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE 1870. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE 1870 members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome.

Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

- 1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.**
- 2. At conventions, conferences, schools, meetings, and all other events organized by CUPE 1870, a complaint shall be brought to the attention of an ombudsperson.**
- 3. If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement.**
- 4. Once a complaint is received, the ombudsperson will work to seek a resolution.**
- 5. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.**
- 6. At CUPE 1870 events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.**
- 7. If the person in charge is a party to the complaint, a designate shall assume that role.**
- 8. In a case where a member has been expelled from an event, the CUPE 1870 President shall receive a report on the matter.**

9. **The CUPE 1870 President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE 1870.**

This Code of Conduct is designed to create a safe, respectful, and supportive environment within CUPE 1870. It is meant to enhance the rights and obligations outlined in the CUPE 1870 by-laws, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.